

**EXECUTIVE SUMMARY - ENFORCEMENT MATTER**  
**DOCKET NO.:** 2007-0774-WQ-E **TCEQ ID:** RN101194769 **CASE NO.:** 33651  
**RESPONDENT NAME:** Crane Co.

Page 1 of 2

<b>ORDER TYPE:</b>		
<input checked="" type="checkbox"/> 1660 AGREED ORDER	<input type="checkbox"/> FINDINGS AGREED ORDER	<input type="checkbox"/> FINDINGS ORDER FOLLOWING SOAH HEARING
<input type="checkbox"/> FINDINGS DEFAULT ORDER	<input type="checkbox"/> SHUTDOWN ORDER	<input type="checkbox"/> IMMINENT AND SUBSTANTIAL ENDANGERMENT ORDER
<input type="checkbox"/> AMENDED ORDER	<input type="checkbox"/> EMERGENCY ORDER	
<b>CASE TYPE:</b>		
<input type="checkbox"/> AIR	<input type="checkbox"/> MULTI-MEDIA (check all that apply)	<input type="checkbox"/> INDUSTRIAL AND HAZARDOUS WASTE
<input type="checkbox"/> PUBLIC WATER SUPPLY	<input type="checkbox"/> PETROLEUM STORAGE TANKS	<input type="checkbox"/> OCCUPATIONAL CERTIFICATION
<input checked="" type="checkbox"/> WATER QUALITY	<input type="checkbox"/> SEWAGE SLUDGE	<input type="checkbox"/> UNDERGROUND INJECTION CONTROL
<input type="checkbox"/> MUNICIPAL SOLID WASTE	<input type="checkbox"/> RADIOACTIVE WASTE	<input type="checkbox"/> DRY CLEANER REGISTRATION
<p><b>SITE WHERE VIOLATION(S) OCCURRED:</b> Crane Energy Flow Solutions, 9860 Johnson Road, Montgomery, Montgomery County</p> <p><b>TYPE OF OPERATION:</b> Manufacturing</p> <p><b>SMALL BUSINESS:</b>    <input checked="" type="checkbox"/> Yes    <input type="checkbox"/> No</p> <p><b>OTHER SIGNIFICANT MATTERS:</b> A complaint was received February 16, 2006, alleging the Respondent is operating the facility without a storm water permit. There is no record of additional pending enforcement actions regarding this facility location.</p> <p><b>INTERESTED PARTIES:</b> A complaint was received, but the complainant has not expressed a desire to protest this action or to speak at Agenda.</p> <p><b>COMMENTS RECEIVED:</b> The <i>Texas Register</i> comment period expired on October 8, 2007. No comments were received.</p> <p><b>CONTACTS AND MAILING LIST:</b> TCEQ Attorney/SEP Coordinator: None TCEQ Enforcement Coordinator: Ms. Deana Holland, Enforcement Division, Enforcement Team 1, MC 169, (512) 239-2504; Mr. David Van Soest, Enforcement Division, MC 219, (512) 239-0468 Respondent: Mr. Greg Walker, Plant Manager, Crane Co., 9860 Johnson Road, Montgomery, Texas 77316 Mr. Kevin J. Crosby, Vice President of Finance, Crane Energy, 9860 Johnson Road, Montgomery, Texas 77316 Respondent's Attorney: Not represented by counsel on this enforcement matter</p>		

**VIOLATION SUMMARY CHART:**

VIOLATION INFORMATION	PENALTY CONSIDERATIONS	CORRECTIVE ACTIONS TAKEN/REQUIRED
<p><b>Type of Investigation:</b>  <input checked="" type="checkbox"/> Complaint  <input type="checkbox"/> Routine  <input type="checkbox"/> Enforcement Follow-up  <input type="checkbox"/> Records Review</p> <p><b>Date(s) of Complaints Relating to this Case:</b> February 16, 2006</p> <p><b>Date of Investigation Relating to this Case:</b> March 21, 2007</p> <p><b>Date of NOV/NOE Relating to this Case:</b> May 9, 2007 (NOE)</p> <p><b>Background Facts:</b> This was a complaint investigation. One violation was documented.</p> <p><b>WATER</b></p> <p>Failed to obtain authorization to discharge storm water associated with industrial activities [30 TEX. ADMIN. CODE § 281.25(a)(4) and 40 CODE OF FEDERAL REGULATIONS § 122.26(c)].</p>	<p><b>Total Assessed:</b> \$3,180</p> <p><b>Total Deferred:</b> \$636  <input checked="" type="checkbox"/> Expedited Settlement  <input type="checkbox"/> Financial Inability to Pay</p> <p><b>SEP Conditional Offset:</b> \$0</p> <p><b>Total Paid to General Revenue:</b> \$2,544</p> <p><b>Site Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Person Compliance History Classification</b>  <input type="checkbox"/> High <input checked="" type="checkbox"/> Average <input type="checkbox"/> Poor</p> <p><b>Major Source:</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><b>Applicable Penalty Policy:</b> September 2002</p>	<p><b>Ordering Provisions:</b></p> <p>The Order will require the Respondent to:</p> <p>a. Within 30 days after the effective date of this Agreed Order, develop and implement a Storm Water Pollution Prevention Plan and submit a Notice of Intent letter to comply with the Multi-Sector Industrial General Permit requirements; and</p> <p>b. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision a. This certification shall include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance.</p>

Additional ID No(s): None



# Penalty Calculation Worksheet (PCW)

Policy Revision 2 (September 2002)

PCW Revision December 8, 2006

TCEQ

DATES

Assigned

14-May-2007

PCW

4-Jun-2007

Screening

4-Jun-2007

EPA Due

## RESPONDENT/FACILITY INFORMATION

Respondent

Crane Co.

Reg. Ent. Ref. No.

RN101194769

Facility/Site Region

12-Houston

Major/Minor Source

Minor

## CASE INFORMATION

Enf./Case ID No.

33651

Docket No.

2007-0774-WQ-E

Media Program(s)

Water Quality

Multi-Media

No. of Violations

1

Order Type

1660

Enf. Coordinator

Deana Holland

EC's Team

EnforcementTeam 1

Admin. Penalty \$

Limit Minimum

\$0

Maximum

\$10,000

## Penalty Calculation Section

TOTAL BASE PENALTY (Sum of violation base penalties)

Subtotal 1

\$3,000

## ADJUSTMENTS (+/-) TO SUBTOTAL 1

Subtotals 2-7 are obtained by multiplying the Total Base Penalty (Subtotal 1) by the indicated percentage.

Compliance History

6% Enhancement

Subtotals 2, 3, & 7

\$180

Notes

A 6% enhancement is recommended for having three NOVs without a same or similar violation within the last five years.

Culpability

No

0% Enhancement

Subtotal 4

\$0

Notes

The Respondent does not meet the culpability criteria.

Good Faith Effort to Comply

0% Reduction

Subtotal 5

\$0

Before NOV

NOV to EDPRP/Settlement Offer

Extraordinary

Ordinary

N/A

X

(mark with x)

Notes

The Respondent does not meet the good faith criteria.

0% Enhancement\*

Subtotal 6

\$0

Total EB Amounts

\$95

Approx. Cost of Compliance

\$2,000

\*Capped at the Total EB \$ Amount

SUM OF SUBTOTALS 1-7

Final Subtotal

\$3,180

OTHER FACTORS AS JUSTICE MAY REQUIRE

Adjustment

\$0

Reduces or enhances the Final Subtotal by the indicated percentage. (Enter number only; e.g. -30 for -30%.)

Notes

Final Penalty Amount

\$3,180

STATUTORY LIMIT ADJUSTMENT

Final Assessed Penalty

\$3,180

DEFERRAL

20%

Reduction

Adjustment

-\$636

Reduces the Final Assessed Penalty by the indicated percentage. (Enter number only; e.g. 20 for 20% reduction.)

Notes

Deferral offered for expedited settlement.

PAYABLE PENALTY

\$2,544

Screening Date 4-Jun-2007

Docket No. 2007-0774-WQ-E

PCW

Respondent Crane Co.

Policy Revision 2 (September 2002)

Case ID No. 33651

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN101194769

Media [Statute] Water Quality

Enf. Coordinator Deana Holland

## Compliance History Worksheet

## &gt;&gt; Compliance History Site Enhancement (Subtotal 2)

Component	Number of...	Enter Number Here	Adjust.
NOVs	Written NOVs with same or similar violations as those in the current enforcement action (number of NOVs meeting criteria)	0	0%
	Other written NOVs	3	6%
Orders	Any agreed final enforcement orders containing a denial of liability (number of orders meeting criteria)	0	0%
	Any adjudicated final enforcement orders, agreed final enforcement orders without a denial of liability, or default orders of this state or the federal government, or any final prohibitory emergency orders issued by the commission	0	0%
Judgments and Consent Decrees	Any non-adjudicated final court judgments or consent decrees containing a denial of liability of this state or the federal government (number of judgments or consent decrees meeting criteria)	0	0%
	Any adjudicated final court judgments and default judgments, or non-adjudicated final court judgments or consent decrees without a denial of liability, of this state or the federal government	0	0%
Convictions	Any criminal convictions of this state or the federal government (number of counts)	0	0%
Emissions	Chronic excessive emissions events (number of events)	0	0%
Audits	Letters notifying the executive director of an intended audit conducted under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which notices were submitted)	0	0%
	Disclosures of violations under the Texas Environmental, Health, and Safety Audit Privilege Act, 74th Legislature, 1995 (number of audits for which violations were disclosed)	0	0%
Please Enter Yes or No			
Other	Environmental management systems in place for one year or more	No	0%
	Voluntary on-site compliance assessments conducted by the executive director under a special assistance program	No	0%
	Participation in a voluntary pollution reduction program	No	0%
	Early compliance with, or offer of a product that meets future state or federal government environmental requirements	No	0%

Adjustment Percentage (Subtotal 2) 6%

## &gt;&gt; Repeat Violator (Subtotal 3)

No

Adjustment Percentage (Subtotal 3) 0%

## &gt;&gt; Compliance History Person Classification (Subtotal 7)

Average Performer

Adjustment Percentage (Subtotal 7) 0%

## &gt;&gt; Compliance History Summary

Compliance  
History  
Notes

A 6% enhancement is recommended for having three NOVs without a same or similar violation within the last five years.

Total Adjustment Percentage (Subtotals 2, 3, &amp; 7) 6%

Screening Date 4-Jun-2007

Docket No. 2007-0774-WQ-E

PCW

Respondent Crane Co.

Policy Revision 2 (September 2002)

Case ID No. 33651

PCW Revision December 8, 2006

Reg. Ent. Reference No. RN101194769

Media [Statute] Water Quality

Enf. Coordinator Deana Holland

Violation Number 1

Rule Cite(s)

30 Tex. Admin. Code § 281.25(a)(4) and 40 Code of Federal Regulations § 122.26(c).

Violation Description

Failed to obtain authorization to discharge storm water associated with industrial activities, as documented during an investigation conducted on March 21, 2007.

Base Penalty \$10,000

## &gt;&gt; Environmental, Property and Human Health Matrix

OR

Release	Harm		
	Major	Moderate	Minor
Actual			
Potential			

Percent 0%

## &gt;&gt; Programmatic Matrix

Falsification	Major	Moderate	Minor
	x		

Percent 10%

Matrix Notes

100% of the rule requirement was not met.

Adjustment \$9,000

\$1,000

## Violation Events

Number of Violation Events 3

75 Number of violation days

mark only one with an x	daily	
	monthly	x
	quarterly	
	semiannual	
	annual	
	single event	

Violation Base Penalty \$3,000

Three monthly events are recommended from the date of the investigation (March 21, 2007) to the date of screening (June 4, 2007).

## Economic Benefit (EB) for this violation

## Statutory Limit Test

Estimated EB Amount \$95

Violation Final Penalty Total \$3,180

This violation Final Assessed Penalty (adjusted for limits) \$3,180

## Economic Benefit Worksheet

Respondent Crane Co.  
Case ID No. 33651  
Reg. Ent. Reference No. RN101194769  
Media Water Quality  
Violation No. 1

Percent Interest	Years of Depreciation
5.0	15

Item Description	Item Cost	Date Required	Final Date	Yrs	Interest Saved	Onetime Costs	EB Amount
No commas or \$							
<b>Delayed Costs</b>							
Equipment				0.0	\$0	\$0	\$0
Buildings				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0
Engineering/construction				0.0	\$0	\$0	\$0
Land				0.0	\$0	n/a	\$0
Record Keeping System				0.0	\$0	n/a	\$0
Training/Sampling				0.0	\$0	n/a	\$0
Remediation/Disposal				0.0	\$0	n/a	\$0
Permit Costs				0.0	\$0	n/a	\$0
Other (as needed)	\$2,000	21-Mar-2007	1-Mar-2008	0.9	\$95	n/a	\$95

Notes for DELAYED costs

The estimated cost of preparing and implementing a storm water pollution prevention plan and submitting a Notice of Intent ("NOI"). Date required is the date of the investigation and the final date is the projected date of compliance.

<b>Avoided Costs</b>							
ANNUALIZE [1] avoided costs before entering item (except for one-time avoided costs)							
Disposal				0.0	\$0	\$0	\$0
Personnel				0.0	\$0	\$0	\$0
Inspection/Reporting/Sampling				0.0	\$0	\$0	\$0
Supplies/equipment				0.0	\$0	\$0	\$0
Financial Assurance [2]				0.0	\$0	\$0	\$0
ONE-TIME avoided costs [3]				0.0	\$0	\$0	\$0
Other (as needed)				0.0	\$0	\$0	\$0

Notes for AVOIDED costs

Approx. Cost of Compliance

\$2,000

TOTAL

\$95

# Compliance History

Customer/Respondent/Owner-Operator:	CN601179294	Crane Co.	Classification: AVERAGE	Rating: 1.62
Regulated Entity:	RN101194769	CRANE ENERGY FLOW SOLUTIONS	Classification: AVERAGE	Site Rating: 0.23
ID Number(s):	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	ID NUMBER	F1946	
	INDUSTRIAL AND HAZARDOUS WASTE GENERATION	EPA ID	TXR000077636	
	PUBLIC WATER SYSTEM/SUPPLY	REGISTRATION	1700388	
	WATER LICENSING	LICENSE	1700388	
Location:	9860 JOHNSON RD, MONTGOMERY, MONTGOMERY COUNTY, TEXAS			
TCEQ Region:	REGION 12 - HOUSTON			
Date Compliance History Prepared:	June 03, 2007			
Agency Decision Requiring Compliance History:	Enforcement			
Compliance Period:	June 03, 2002 to June 03, 2007			
TCEQ Staff Member to Contact for Additional Information Regarding this Compliance History				
Name:	Deana Holland	Phone:	239-2504	

## Site Compliance History Components

- |  |     |
|--|-----|
| 1. Has the site been in existence and/or operation for the full five year compliance period? | Yes |
| 2. Has there been a (known) change in ownership of the site during the compliance period?    | No  |
| 3. If Yes, who is the current owner?   | N/A |
| 4. If Yes, who was/were the prior owner(s)?  | N/A |
| 5. When did the change(s) in ownership occur?  | N/A |

## Components (Multimedia) for the Site :

- |    |  |
|----|--|
| A. | Final Enforcement Orders, court judgements, and consent decrees of the state of Texas and the federal government.  |
|    | N/A  |
| B. | Any criminal convictions of the state of Texas and the federal government.   |
|    | N/A  |
| C. | Chronic excessive emissions events.  |
|    | N/A  |
| D. | The approval dates of investigations. (CCEDS Inv. Track. No.)  |
|    | 1 06/28/2004 (277244)  |
|    | 2 11/21/2006 (514286)  |
| E. | Written notices of violations (NOV). (CCEDS Inv. Track. No.)   |
|    | Date: 06/29/2004 (277244)  |
|    | Self Report? NO Classification: Moderat  |
|    | Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)   |
|    | Description: Failure to provide copies of recorded sanitary control easements, an approved substitute, or an exception to the requirement for the #2 well. |
|    | Date: 11/20/2006 (514286)  |
|    | Self Report? NO Classification: Moderat  |
|    | Citation: 30 TAC Chapter 290, SubChapter D 290.41(c)(1)(F)   |
|    | Description: Failure to provide copies of recorded sanitary control easements, an approved substitute, or an exception to the requirement for the #2 well. |
|    | Self Report? NO Classification: Minor  |
|    | Citation: 30 TAC Chapter 290, SubChapter D 290.46(m)   |
|    | Description: Failure to properly maintain the regulated entity by not cutting the shrubs along the fence at the well site.                                 |
|    | Date: 04/10/2007 (541645)  |

Self Report? NO

Classification: Moderat

Citation: 30 TAC Chapter 335, SubChapter A 335.4(1)

Description: Hydrocarbon contaminated soil was observed near the southeast corner of the machine shop.

F. Environmental audits.

N/A

G. Type of environmental management systems (EMSs).

N/A

H. Voluntary on-site compliance assessment dates.

N/A

I. Participation in a voluntary pollution reduction program.

N/A

J. Early compliance.

N/A

Sites Outside of Texas

N/A



# TEXAS COMMISSION ON ENVIRONMENTAL QUALITY



**IN THE MATTER OF AN  
ENFORCEMENT ACTION  
CONCERNING  
CRANE CO.  
RN101194769**

§ **BEFORE THE**  
§  
§ **TEXAS COMMISSION ON**  
§  
§ **ENVIRONMENTAL QUALITY**

## **AGREED ORDER DOCKET NO. 2007-0774-WQ-E**

### **I. JURISDICTION AND STIPULATIONS**

At its \_\_\_\_\_ agenda, the Texas Commission on Environmental Quality ("the Commission" or "TCEQ") considered this agreement of the parties, resolving an enforcement action regarding Crane Co. under the authority of TEX. WATER CODE chs. 7 and 26. The Executive Director of the TCEQ, through the Enforcement Division, and Crane Co. appear before the Commission and together stipulate that:

1. Crane Co. owns and operates a manufacturing facility at 9860 Johnson Road in Montgomery, Montgomery County, Texas (the "Facility").
2. Crane Co. has discharged storm water into or adjacent to any water in the state under TEX. WATER CODE ch. 26.
3. The Commission and Crane Co. agree that the Commission has jurisdiction to enter this Agreed Order, and that Crane Co. is subject to the Commission's jurisdiction.
4. Crane Co. received notice of the violations alleged in Section II ("Allegations") on or about May 14, 2007.
5. The occurrence of any violation is in dispute and the entry of this Agreed Order shall not constitute an admission by Crane Co. of any violation alleged in Section II ("Allegations"), nor of any statute or rule.



6. An administrative penalty in the amount of Three Thousand One Hundred Eighty Dollars (\$3,180) is assessed by the Commission in settlement of the violations alleged in Section II ("Allegations"). Crane Co. has paid Two Thousand Five Hundred Forty-Four Dollars (\$2,544) of the administrative penalty and Six Hundred Thirty-Six Dollars (\$636) is deferred contingent upon Crane Co.'s timely and satisfactory compliance with all the terms of this Agreed Order. The deferred amount will be waived upon full compliance with the terms of this Agreed Order. If Crane Co. fails to timely and satisfactorily comply with all requirements of this Agreed Order, the Executive Director may require Crane Co. to pay all or part of the deferred penalty.
7. Any notice and procedures, which might otherwise be authorized or required in this action, are waived in the interest of a more timely resolution of the matter.
8. The Executive Director of the TCEQ and Crane Co. have agreed on a settlement of the matters alleged in this enforcement action, subject to the approval of the Commission.
9. The Executive Director may, without further notice or hearing, refer this matter to the Office of the Attorney General of the State of Texas ("OAG") for further enforcement proceedings if the Executive Director determines that Crane Co. has not complied with one or more of the terms or conditions in this Agreed Order.
10. This Agreed Order shall terminate five years from its effective date or upon compliance with all the terms and conditions set forth in this Agreed Order, whichever is later.
11. The provisions of this Agreed Order are deemed severable and, if a court of competent jurisdiction or other appropriate authority deems any provision of this Agreed Order unenforceable, the remaining provisions shall be valid and enforceable.

## **II. ALLEGATIONS**

As owner and operator of the Facility, Crane Co. is alleged to have failed to obtain authorization to discharge storm water associated with industrial activities, in violation of 30 TEX. ADMIN. CODE § 281.25(a)(4) and 40 CODE OF FEDERAL REGULATIONS § 122.26(c), as documented during an investigation conducted on March 21, 2007.

## **III. DENIALS**

Crane Co. generally denies each allegation in Section II ("Allegations").



#### IV. ORDERING PROVISIONS

1. It is, therefore, ordered by the TCEQ that Crane Co. pay an administrative penalty as set forth in Section I, Paragraph 6 above. The payment of this administrative penalty and Crane Co.'s compliance with all the terms and conditions set forth in this Agreed Order resolve only the allegations in Section II. The Commission shall not be constrained in any manner from requiring corrective action or penalties for violations, which are not raised here. Administrative penalty payments shall be made payable to "TCEQ" and shall be sent with the notation "Re: Crane Co., Docket No. 2007-0774-WQ-E" to:

Financial Administration Division, Revenues Section  
Attention: Cashier's Office, MC 214  
Texas Commission on Environmental Quality  
P.O. Box 13088  
Austin, Texas 78711-3088

2. It is further ordered that Crane Co. shall undertake the following technical requirements:
  - a. Within 30 days after the effective date of this Agreed Order, develop and implement a Storm Water Pollution Prevention Plan and submit a Notice of Intent letter to comply with the Multi-Sector Industrial General Permit requirements in accordance with 30 TEX. ADMIN. CODE § 281.25(a)(4) and 40 CODE OF FEDERAL REGULATIONS § 122.26(c) to:

Texas Commission on Environmental Quality  
Wastewater Permitting Section, MC 148  
P.O. Box 13087  
Austin, Texas 78711-3087

- b. Within 45 days after the effective date of this Agreed Order, submit written certification of compliance with Ordering Provision 2.a. This certification shall, include detailed supporting documentation including photographs, receipts, and/or other records to demonstrate compliance, be notarized by a State of Texas Notary Public and include the following certification language:

"I certify under penalty of law that I have personally examined and am familiar with the information submitted and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."



Submit copies of all correspondence, reports, and documentation required by these Ordering Provisions to:

Order Compliance Team  
Enforcement Division, MC 149A  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, Texas 78711-3087

with a copy to:

Water Section, Manager  
Houston Regional Office  
Texas Commission on Environmental Quality  
5425 Polk Avenue, Suite H  
Houston, Texas 77023-1486

3. The provisions of this Agreed Order shall apply to and be binding upon Crane Co. Crane Co. is ordered to give notice of the Agreed Order to personnel who maintain day-to-day control over the Facility operations referenced in this Agreed Order.
4. If Crane Co. fails to comply with any of the Ordering Provisions in this Agreed Order within the prescribed schedules, and that failure is caused solely by an act of God, war, strike, riot, or other catastrophe, Crane Co.'s failure to comply is not a violation of this Agreed Order. Crane Co. shall have the burden of establishing to the Executive Director's satisfaction that such an event has occurred. Crane Co. shall notify the Executive Director within seven days after Crane Co. becomes aware of a delaying event and shall take all reasonable measures to mitigate and minimize any delay.
5. The Executive Director may grant an extension of any deadline in this Agreed Order or in any plan, report, or other document submitted pursuant to this Agreed Order, upon a written and substantiated showing of good cause. All requests for extensions by Crane Co. shall be made in writing to the Executive Director. Extensions are not effective until Crane Co. receives written approval from the Executive Director. The determination of what constitutes good cause rests solely with the Executive Director.
6. This Agreed Order, issued by the Commission, shall not be admissible against Crane Co. in a civil proceeding, unless the proceeding is brought by the OAG to: (1) enforce the terms of this Agreed Order; or (2) pursue violations of a statute within the Commission's jurisdiction, or of a rule adopted or an order or permit issued by the Commission under such a statute.
7. This agreement may be executed in multiple counterparts, which together shall constitute a single original instrument. Any executed signature page to this Agreement may be transmitted by facsimile transmission to the other parties, which shall constitute an original signature for all purposes.





Crane Co.

DOCKET NO. 2007-0774-WQ-E

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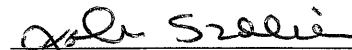
8. Under 30 TEX. ADMIN. CODE § 70.10(b), the effective date is the date of hand-delivery of the Order to Crane Co., or three days after the date on which the Commission mails notice of the Order to Crane Co., whichever is earlier. The Chief Clerk shall provide a copy of this Agreed Order to each of the parties.



## SIGNATURE PAGE

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

\_\_\_\_\_  
For the Commission

  
For the Executive Director

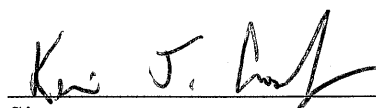
10/18/07  
Date

I, the undersigned, have read and understand the attached Agreed Order. I am authorized to agree to the attached Agreed Order on behalf of the entity indicated below my signature, and I do agree to the terms and conditions specified therein. I further acknowledge that the TCEQ, in accepting payment for the penalty amount, is materially relying on such representation.

I also understand that failure to comply with the Ordering Provisions, if any, in this order and/or failure to timely pay the penalty amount, may result in:

- A negative impact on compliance history;
- Greater scrutiny of any permit applications submitted;
- Referral of this case to the Attorney General's Office for contempt, injunctive relief, additional penalties, and/or attorney fees, or to a collection agency;
- Increased penalties in any future enforcement actions;
- Automatic referral to the Attorney General's Office of any future enforcement actions; and
- TCEQ seeking other relief as authorized by law.

In addition, any falsification of any compliance documents may result in criminal prosecution.

  
Signature

7/25/2007  
Date

Kevin J. Crosby  
Name (Printed or typed)  
Authorized Representative of  
Crane Co.

Crane Energy, VP of Finance  
Title

**Instructions:** Send the original, signed Agreed Order with penalty payment to the Financial Administration Division, Revenues Section at the address in Section IV, Paragraph 1 of this Agreed Order.

